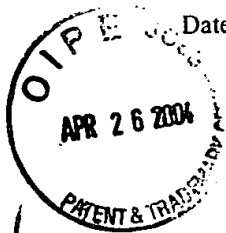


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Express Mail No.: EV 330129273 US

Date of Deposit: April 26, 2004



04-27-04  
A1-7374  
Case No. 2817/228

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Kenneth W. Nimmons

Serial No: 09/820,091

Filed: March 28, 2001

For: **BASEBALL BASE  
WITH IDENTIFICATION**

Examiner: Aryanpour, Mitra

Group Art Unit: 3711

RECEIVED  
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TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 24, 2003 of the Examiner finally rejecting Claims 2-13, 15-18 and 32-56.

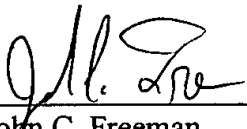
The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection was granted on April 26, 2004 for two (2) month(s).
2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$165.00 Small Entity  
☒ Enclosed  
☐ Not required (Fee paid in prior appeal)

- ☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: April 26, 2004

  
\_\_\_\_\_  
John C. Freeman  
Registration No. 34,483  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
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